

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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BRAINWAVE SCIENCE, INC.

Plaintiff,

- against -

21-cv-4402 (BMC)

**ORDER TO SHOW CAUSE TO
HOLD LAWRENCE A.
FARWELL IN CONTEMPT OF
COURT AND FOR
PRODUCTION OF COURT
ORDERED DISCLOSURES**

ARSHEE, INC., DR. LAWRENCE A.
FARWELL, DR. THIERRY MAISON and
BRAIN FINGERPRINTING FOUNDATION

Defendants.

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Upon the Summons and Complaint, filed August 5, 2021, this Court's Orders of December 14, 2021, March 2, 2022 and March 25, 2022, the supporting Declaration of Paul F. Tomkins, and the exhibits annexed thereto, and Memorandum of Law of Plaintiff Brainwave Science, Inc. in Support of its Motion to hold Lawrence A. Farwell in Contempt of Court and to direct Lawrence A. Farwell to provide disclosure responses as previously directed by the Court, it is hereby:

ORDERED that Defendant Lawrence A. Farwell show cause before this Court on June ____, 2022 at _____ why this Court should not issue an Order

1. pursuant to 18 U.S.C. § 401 et seq., holding Lawrence A. Farwell in Contempt of Court for his willful and intentional violations of this Court's Orders of December 14, 2021 and March 2, 2022;
2. pursuant to 18 U.S.C. §401(3), sanctioning Lawrence A. Farwell, by fine or imprisonment, or both, for his willful and intentional violations of this Court's Orders of December 14, 2021 and March 2, 2022;
3. pursuant to 18 U.S.C. § 401 et seq. imposing a daily fine upon Lawrence A. Farwell until such time as he has demonstrated compliance with the Court's Orders of December 14, 2021 and March 2, 2022 and
4. directing Lawrence A. Farwell to provide plaintiff with outstanding disclosure responses, as Ordered by this Court on March 25, 2022, upon such deadline(s) and terms as the Court deems appropriate and
5. providing Plaintiff with such other relief that the Court may deem just and proper.

IT IS FURTHER ORDERED, that service of a copy of this Order and the papers on which it is based upon Defendant Lawrence A. Farwell by United States Mail and by email on or before 5:00 p.m. on _____, 2022 shall be deemed good and sufficient service; and

IT IS FURTHER ORDERED, that answering affidavits, if any, must be served by email and US Mail upon Plaintiff's attorney of record in this action no later than 5:00 PM on _____, 2022 and that reply affidavits, if any, must be served by email upon Lawrence A. Farwell , no later than 5:00 PM on _____, 2022.

SO ORDERED:

Hon. _____
United States District Judge, E.D.N.Y
Dated: _____